



US Army Corps  
of Engineers  
Seattle District

# Public Notice of Application for Permit

Regulatory Branch  
Post Office Box 3755  
Seattle, Washington 98124-3755  
Telephone: (206) 764-3495  
ATTN: Anne Robinson, Project Manager

Public Notice Date: December 3, 2003  
Expiration Date: January 2, 2004  
Reference: 200300674  
Name: Vancouver, City of

Interested parties are hereby notified that an application has been received for a Department of the Army permit in accordance with Section 404 of the Clean Water Act for certain work described below and shown on the enclosed drawings.

**APPLICANT** – City of Vancouver  
1300 Franklin Street, 4<sup>th</sup> Floor  
Vancouver, Washington 98668-1995  
ATTN: Mr. Hassan Abdalla  
Telephone: (360) 735-8858 ext. 8335

**AGENT** - David Evans & Associates, Inc.  
2100 Southwest River Parkway  
Portland, Oregon 97201-8009  
ATTN: Mr. John Macklin  
Telephone: (503) 223-6663 ext. 1348

**LOCATION** – Applicant proposes to fill wetlands adjacent to an unnamed intermittent wetland drainage that is connected to Fisher's Swale and is tributary to the Columbia River. The project is located along 192<sup>nd</sup> Avenue, between Southeast 34<sup>th</sup> Street and the new interchange on State Route (SR) 14, within the City of Vancouver in Section 8, Township 1N, Range 3E.

**WORK** – Applicant proposes to fill 0.82 acres of emergent (PEM), scrub/shrub (PSS) and forested (PFO) wetland to complete the construction of 192<sup>nd</sup> Avenue from Southeast 34<sup>th</sup> Street to SR 14. A portion of the proposed impacts, due to a road realignment, occur at two separate compensatory mitigation sites (see table below and Additional Information paragraph).

Permanent wetland impacts are as follows:

Wetland Type	Total acreage of wetlands in project area	Area of impact in existing mitigation sites	Area of impact NOT in existing mitigation sites
PFO (Hiddenbrook Terrace)	1.55 acres	0.64 acre	
PFO/PSS (Killian Pacific)	1.88 acres	0.03 acre	
PSS/PFO (immature forest)	2.5 acres	—	0.06 acre
PFO (mature forest)	13.46 acres	—	0.09 acre
<b>TOTALS</b>		0.67 acre*	0.15 acre

\*The 0.67 of an acre of impacted wetlands is currently authorized mitigation for prior U.S. Army Corps of Engineers (Corps) permit actions, Hiddenbrook Terrace mitigation site (Corps Reference # 199901058) and Killian Pacific mitigation site (Corps Reference # 200001346).

As part of the road-building project, the applicant proposes to replace two 12-inch culverts (30 and 35 feet long) in the unnamed tributary of Fisher Swale. The two pipes will be replaced with a single 36-inch pipe, 220 feet long (see Sheets 3 and 6).

PURPOSE – The purpose of this project is to complete the connection of 192<sup>nd</sup> Avenue to SR 14.

ADDITIONAL INFORMATION – A different alignment than originally planned was designed in order to avoid an existing private gravel quarry. The 192<sup>nd</sup> Avenue north/south corridor is important providing direct vehicular access to SR 14, with improved safety, and improved vehicular capacity. This project addresses revisions to a project previously permitted under Nationwide Permit 26 (U.S. Army Corps of Engineers (Corps) Reference #199700118). That project covered a longer extension of 192<sup>nd</sup> Avenue, terminating at SR 14, however only a portion of the proposal authorized under that Nationwide Permit 26 was constructed. Previous segments of 192<sup>nd</sup> Avenue were permitted under Corps Reference #199700118 and Corps Reference # 200000376. Mitigation was independently required and constructed for these previous segments.

MITIGATION – The Applicant has proposed both onsite and additional offsite mitigation. Onsite mitigation includes removal of two power poles (wires to be placed underground) to the east of the proposed 192<sup>nd</sup> Avenue alignment, regrading of the gravel powerline service road to the elevation of the adjoining wetland to the east, in order to restore greater hydrologic connection with the PFO, and enhancing the regraded area. This onsite project will provide 0.08 of an acre of buffer restoration and 0.29 of an acre of wetland restoration.

Proposed offsite mitigation is a wetland enhancement project adjacent to the City of Vancouver Water Resources Center, located 5 miles west of the impact site, and several hundred feet north of the Columbia River (see Sheet 1). A reed canary grass dominated wetland area occupies an estimated 6 acres, adjoining the SR 14 embankment to the north, an upland tract of black cottonwood to the south, the Water Resources Center to the west and a new residential development to the east. The Applicant proposes to enhance 1.79 acres of monotypic reed canary grass to PFO (0.33 of an acre), PEM (1.34 acres) and PSS (0.12 of an acre) native plant communities. An additional 0.90 of an acre of existing PFO will be enhanced by removal of noxious, non-native weeds, and planted with an understory of native shrub species. Copies of the draft mitigation plan for these sites are available upon request.

ENDANGERED SPECIES - Federal Highway Administration (FHWA) is the federal lead for ESA consultation on this project. The Endangered Species Act (ESA) of 1973, as amended, requires assessment of potential impacts to listed and proposed species. The bull trout (*Salvelinus confluentus*), threatened; bald eagle (*Haliaeetus leucocephalus*) threatened; Bradshaws lomatium (*Lomatium bradshawii*), endangered; golden paintbrush (*Castilleja levisecta*) threatened; water howellia (*Howellia aquatilis*) threatened; Lower Columbia River steelhead (*Oncorhynchus mykiss*), threatened; Lower Columbia River Chinook (*Oncorhynchus tshawytscha*), threatened; and Columbia River chum (*Oncorhynchus keta*), threatened in the state of Washington, may occur in the proposed project area. FHWA initiated informal consultation under Section 7 of the ESA with U.S. Fish and Wildlife Service (USFWS) (March 2001) and with National Marine Fisheries Service (NMFS) (March 2000). USFWS concurred with FHWA's determination of "may affect, not likely to adversely affect" for all species under their jurisdiction on April 6, 2001. National Marine Fisheries Service, citing long-standing barriers between the Columbia River and Fishers Swale, concurred with the determination of "may affect, not likely to adversely affect" for all species under its jurisdiction on August 10, 2000. FHWA has determined that the delay in construction, and the proposed realignment will not change the effect determinations and are therefore not sufficient cause for re-initiation of consultation.

ESSENTIAL FISH HABITAT - The Magnuson-Stevens Fishery Conservation and Management Act (MSA), as amended by the Sustainable Fisheries Act of 1996, requires all Federal agencies to consult with the National Marine Fisheries Service (NMFS) on all actions, or proposed actions, permitted, funded, or undertaken by the

agency, that may adversely affect Essential Fish Habitat (EFH). Since no Pacific salmon are able to access the project area of Fishers Swale, FHWA has determined that the proposed action will not adversely affect designated EFH for federally managed fisheries in Washington waters. FHWA determined that no further EFH consultation is necessary.

CULTURAL RESOURCES - FHWA, the lead federal agency for determining compliance with Section 106 of the National Historic Preservation Act, consulted with the State Historic Preservation Office (SHPO) in 1999, related to the original road alignment. At that time, SHPO determined that "no prehistoric or historic sites have been recorded in close proximity to the proposed alignment." SHPO also determined that "the route through Fisher Quarry was not surveyed due to the almost complete destruction of the original ground surface by quarrying activities." The undisturbed section of the original alignment, north of Fishers Swale, was surveyed by shovel probes, and 'no prehistoric or historic materials were recovered in the ...probes or observed on the ground." The proposed alignment will cross a neighboring quarry, and an existing detention pond; briefly follow a power line access road, and cross two existing mitigation sites before returning to the original alignment along Southeast 41<sup>st</sup> Drive, south of the existing commercial development at the corner of Southeast 34<sup>th</sup> Street. In that the proposed alignment will generally follow the prior alignment, FHWA has determined that the prior consultation surveyed essentially the same areas as the proposed new alignment, and therefore additional survey data is not necessary.

PUBLIC HEARING - Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing.

EVALUATION - The decision whether to issue a permit will be based on an evaluation of the probable impact, including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits, which reasonably may be expected to accrue from the proposal, must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered, including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and, in general, the needs and welfare of the people.

The U.S. Army Corps of Engineers (Corps) is soliciting comments from the public; Federal, State, and local agencies and officials; Indian tribes; and other interested parties in order to consider and evaluate the impacts of this activity. Any comments received will be considered by the Corps to determine whether to issue, modify, condition or deny a permit for the work. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the activity.

The evaluation of the impact of the activity on the public interest will include application of the guidelines promulgated by the Administrator, Environmental Protection Agency, under authority of Section 404(b) of the Clean Water Act. This evaluation will include an alternatives analysis.

ADDITIONAL EVALUATION - The State of Washington is reviewing this work for compliance with the applicable State and Federal water quality standards pursuant to Section 401 of the Clean Water Act.

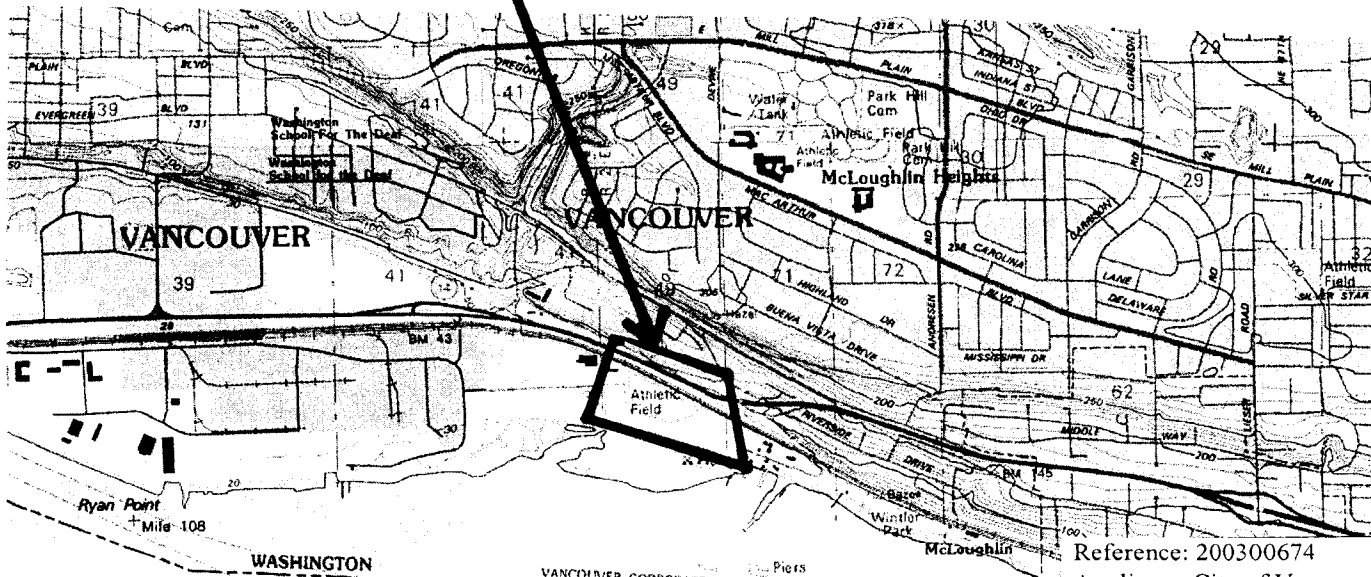
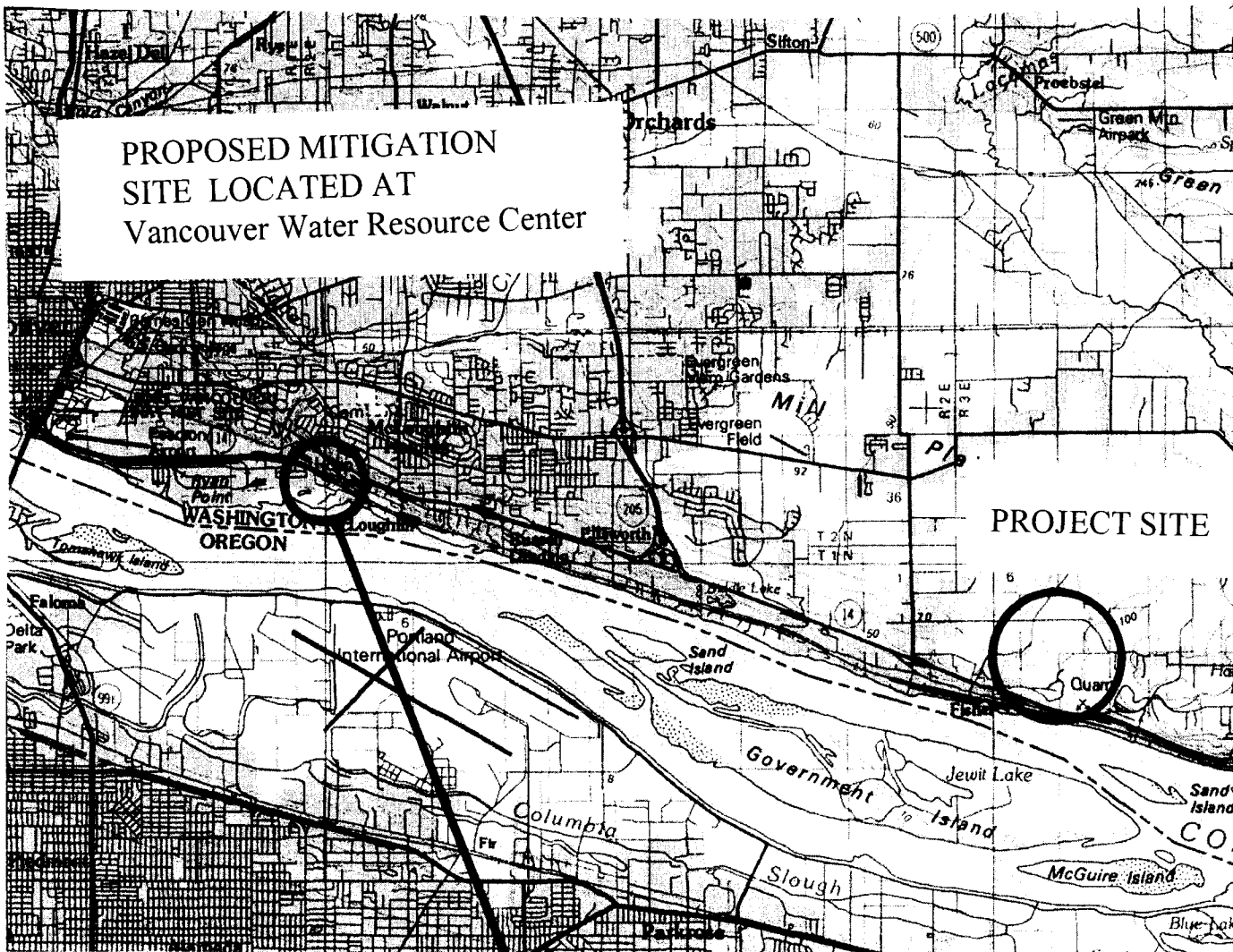
200300674

COMMENT AND REVIEW PERIOD - Conventional mail or e-mail comments on this public notice will be accepted and made part of the record and will be considered in determining whether it would be in the public interest to authorize this proposal. In order to be accepted, e-mail comments must originate from the author's e-mail account and must include on the subject line of the e-mail message the permit applicant's name and reference number as shown below. All e-mail comments should be sent to Anne.M.Robinson@nws02.usace.army.mil. Conventional mail comments should be sent ATTN: Regulatory Branch. Both conventional mail or e-mail comments must include the permit applicant's name and reference number, as shown below, and the commentor's name, address, and phone number. All comments whether conventional mail or e-mail must reach this office, no later than the expiration date of this public notice to ensure consideration. Please include the following name and reference number:

Vancouver, City of, 200300674

Encl  
Drawings (6)

### VICINITY MAP



Reference: 200300674

Applicant: City of Vancouver

Propose: wetland fill for new road

Location: SE 192<sup>nd</sup> Ave, between  
34<sup>th</sup> St. and SR 14

County: Clark      State: WA

Sheet of Data: 1000

# PLAN VIEW

## SE 192ND AVENUE, PHASE III

CORPS #: 2003 00674

APP. BY: CITY OF VANCOUVER

IN: HEADWATER WETLANDS AT

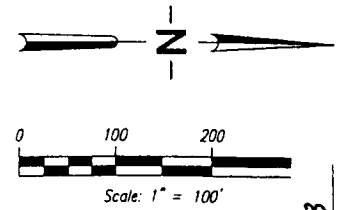
FISHERS SWALE,

VANCOUVER, WA

PURPOSE: ROAD CONSTRUCTION

ADJACENT OWNERS:

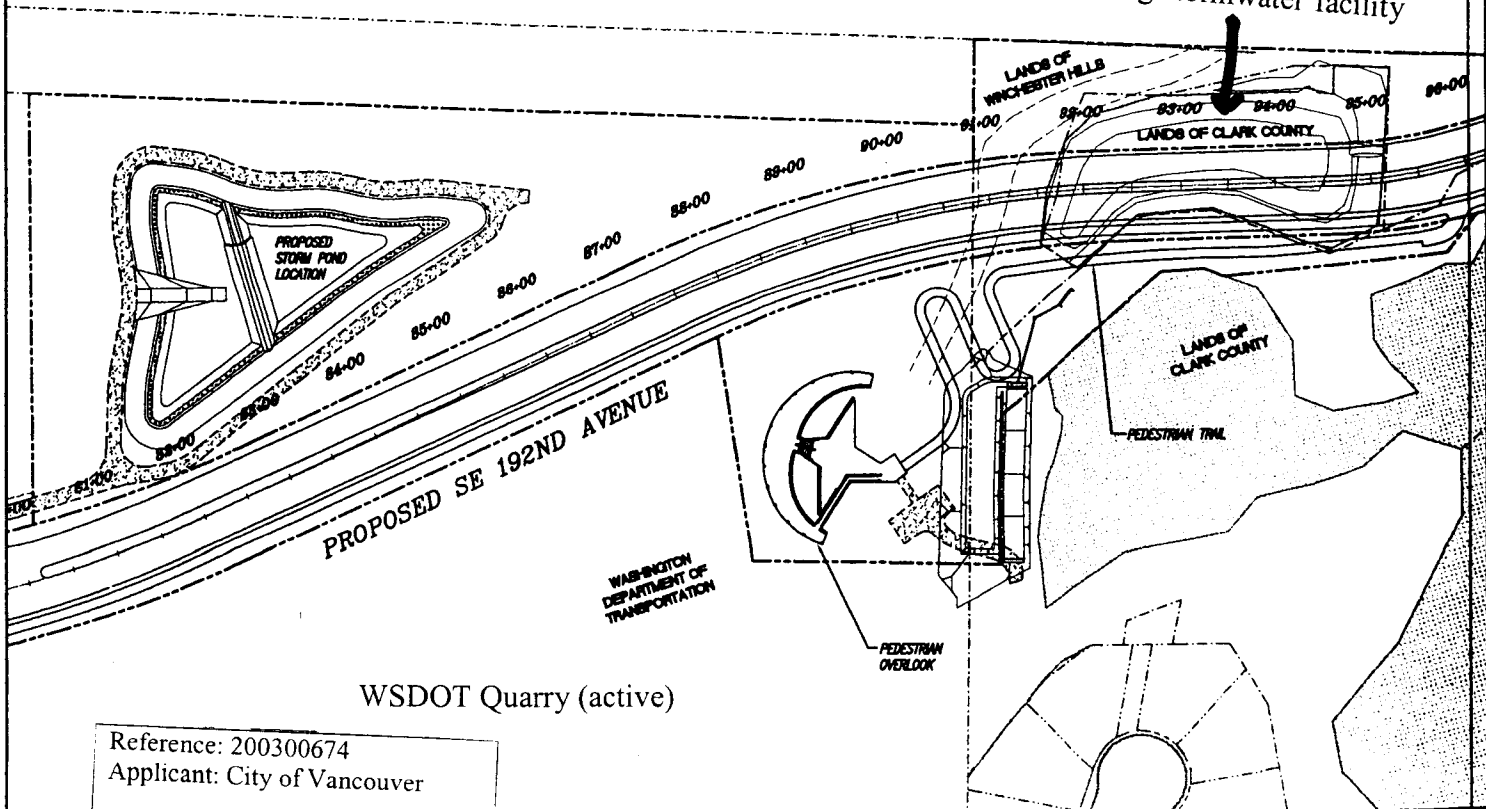
- 1) FISHERS TERRACE LLC.
- 2) PACIFIC ROCK PRODUCTS
- 3) CLARK COUNTY
- 4) WSDOT



PAC ROCK Quarry (active)

PACIFIC ROCK PRODUCTS  
LLC

Existing stormwater facility



WSDOT Quarry (active)

Reference: 200300674

Applicant: City of Vancouver

Propose: wetland fill for new road

Location: SE 192<sup>nd</sup> Ave, between  
34<sup>th</sup> St. and SR 14

County: Clark

State: WA

Sheet 2 of 4

Date: 4/1/03

SE 192ND AVENUE

MacKay & Sposito Inc. **M&S**

ENGINEERS SURVEYORS PLANNERS

12726

DATE

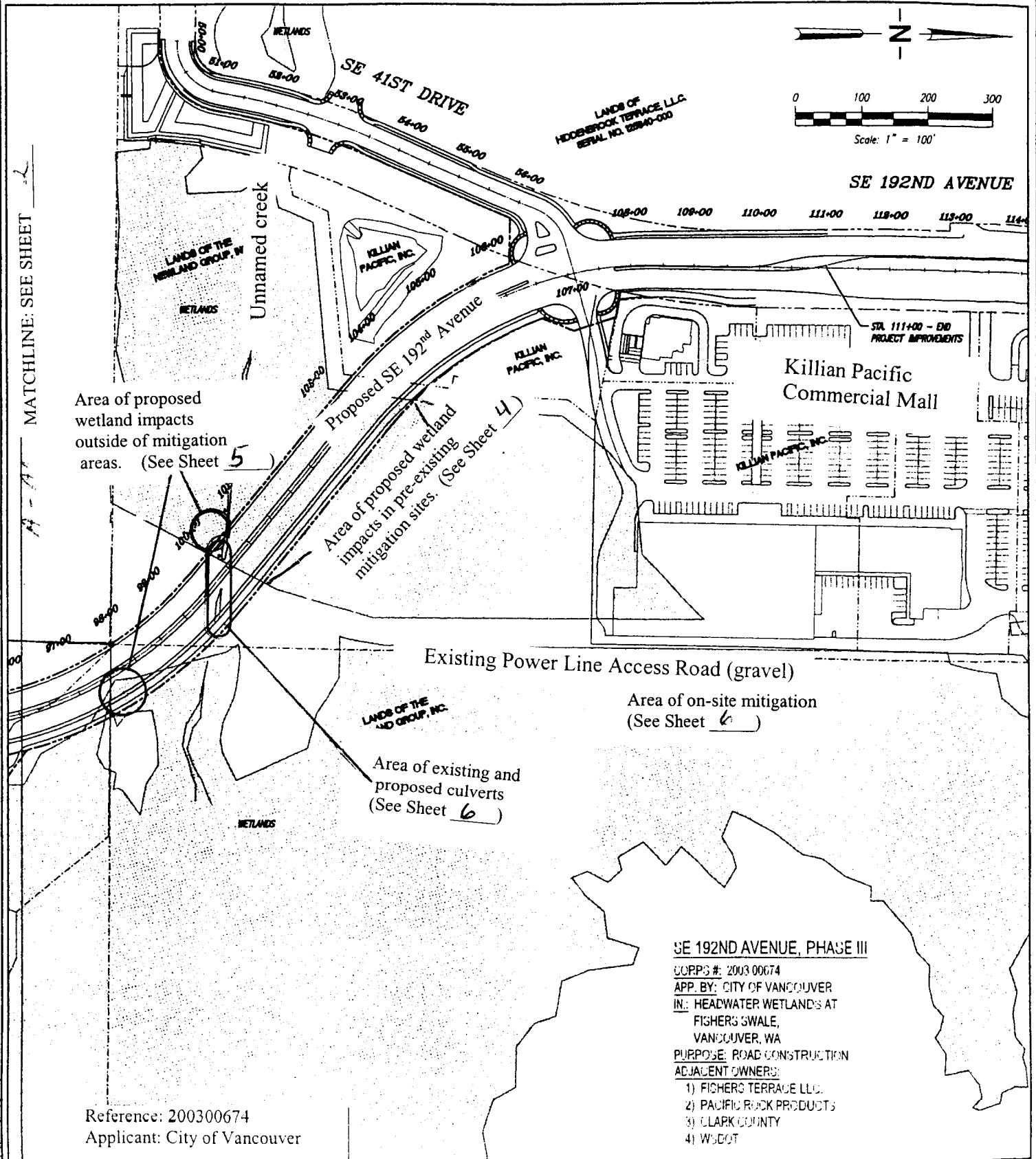
CITY OF VANCOUVER

SE 192ND AVENUE

PHASE III

DRAWING NUMBER

# PLAN VIEW



Reference: 200300674  
Applicant: City of Vancouver

Propose: wetland fill for new road  
Location: SE 192<sup>nd</sup> Ave, between  
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County: Clark State: WA

## SE 192ND AVENUE, PHASE III

CORPS #: 200300674

APP. BY: CITY OF VANCOUVER

IN: HEADWATER WETLANDS AT  
FISHERS SWALE,  
VANCOUVER, WA

PURPOSE: ROAD CONSTRUCTION

ADJACENT OWNERS:

- 1) FISHERS TERRACE LLC.
- 2) PACIFIC ROCK PRODUCTS
- 3) CLARK COUNTY
- 4) WSDOT

## SE 192ND AVENUE

MacKay & Sposito, Inc. **M&S**

ENGINEER: J. MACKEY, P.E. PLANNER: J. SPOSITO, P.E.

11765 DATE: 11/11/03

CITY OF VANCOUVER

SE 192ND AVENUE

PHASE III

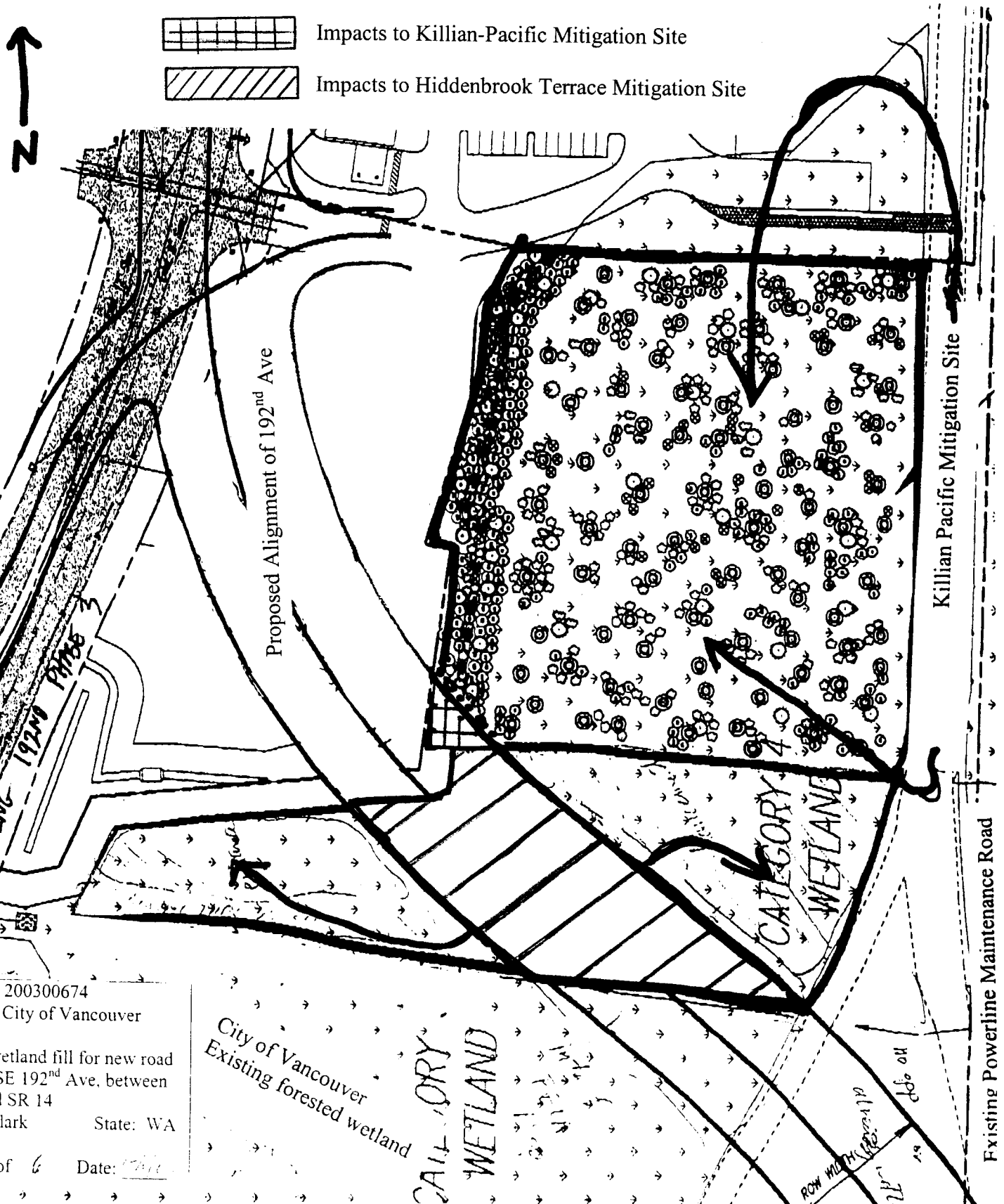
REVISION	DATE	SCALE
1	11/11/03	1" = 100'
2	11/11/03	1" = 100'
3	11/11/03	1" = 100'



JOB NUMBER	DATE
11765	11/11/03

DRAWING NUMBER
11765

# IMPACTS TO PRE-EXISTING MITIGATION SITES AT 192<sup>ND</sup> AVENUE





# WETLAND IMPACTS OUTSIDE OF EXISTING MITIGATION AREAS

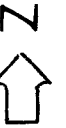
FEDERAL AID NUMBER: HP 1998 (007)

## GENERAL NOTES

1. BUFFER LIMITS ARE PER WINCHESTER HILLS PHASE-2 PLAT (BK310, PG31), THE TERRACE AT FISHERS LANDING PHASE-4 PLAT (BK310, PG320), AND DIRECTION FROM CLARK COUNTY DEPARTMENT OF COMMUNITY DEVELOPMENT.

IMMATURE SCRUB/SHRUB AND FOREST  
WETLAND IMPACT  
(0.06 ACRE)

MATURE FOREST  
WETLAND IMPACT  
(0.09 ACRE)



## IMPACTS

- CATEGORY 1 WETLAND .09 AC  
(MATURE PALUSTRINE FORESTED)
- CATEGORY 3 WETLAND .67 AC  
(PALUSTRINE EMERGENT)
- CATEGORY 3 WETLAND .06 AC  
(MATURE PALUSTRINE FORESTED / SCRUB-SHRUB)
- TYPE A BUFFER .82 AC
- TYPE D BUFFER .46 AC
- TEMPORARY BUFFER IMPACT .03 AC (TYPE A)

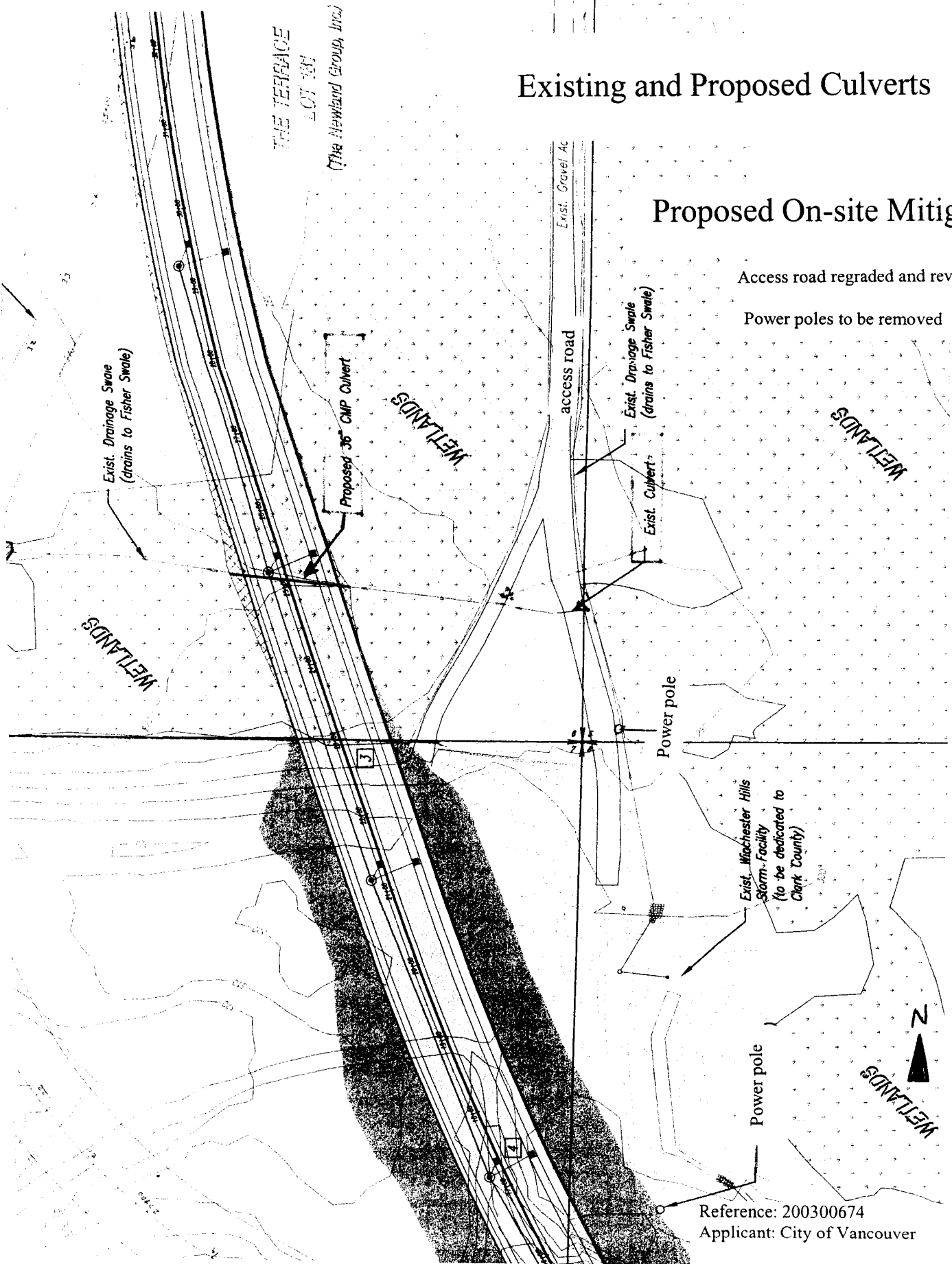
Reference: 200300674  
Applicant: City of Vancouver

Propose: wetland fill for new road  
Location: SE 192<sup>nd</sup> Ave, between  
34<sup>th</sup> St. and SR 14  
County: Clark State: WA

Sheet 5 of 6 Date: 12/1/03

# Existing and Proposed Culverts

## Proposed On-site Mitigation



Access road regraded and revegetated

Power poles to be removed

Reference: 200300674  
Applicant: City of Vancouver

Propose: wetland fill for new road  
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County: Clark State: WA

Sheet 6 of 6 Date: 10/1/02



STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY

*P.O. Box 47600 • Olympia, Washington 98504-7600  
(360) 407-6000 • TDD Only (Hearing Impaired) (360) 407-6006*

STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY

Notice of Application for  
Water Quality Certification

Date: December 3, 2003

Notice is hereby given that a request has been filed with the Department of Ecology, pursuant to the requirements of Section 401 of the federal Clean Water Act of 1977 (PL 95-217), to certify that the project described in the U.S. Army Corps of Engineers Public Notice No. 200300674 will comply with the Sections 301, 302, 303, 306, and 307 of the Act, and with applicable provisions of State and Federal water pollution control laws.

Any person desiring to present views on the project pertaining to compliance with water pollution control laws may do so by providing written comments within 30 days of the above publication date to:

Federal Permit Coordinator  
Department of Ecology  
SEA Program  
Post Office Box 47600  
Olympia, Washington 98504-7600